

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

06/06/2000

CLERK OF THE COURT
FORM R109B

HON. PAUL A. KATZ

B. Navarro
Deputy

CR 2000-006395

FILED: _____

STATE OF/ARIZONA

ELIZABETH /COTTOR

v.

TERRY MELVIN/THOMAS
DOB: March 7, 1971

KRISTI M/ADAMS

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
MCSO-DIS
RFR
VICTIM WITNESS DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

10:28 a.m. State is represented by Shab Amiri for above-named counsel.
Defendant is present and represented by above-named counsel.

Court Reporter, Jenness Slabe, is present.

The Defendant is advised of the charge, the determination of guilt and
is given the opportunity to speak.

Pursuant to A.R.S. Section 13-607,

THE COURT FINDS AS FOLLOWS:

WAIVER OF TRIAL: The Defendant knowingly, intelligently and
voluntarily waived his/her right to a trial with or without a jury, his/her
right to confront and cross examine witnesses, his/her right to testify or
remain silent and his/her right to present evidence and call his/her own
witnesses after having been advised of these rights. The determination of
guilt was based upon a plea of Guilty.

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Having found no legal cause to delay rendition of judgment and pronouncement of sentence, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant is guilty of the crimes of:

OFFENSE: COUNT 1: UNLAWFUL FLIGHT FROM A LAW ENFORCEMENT VEHICLE, a class 5 felony, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 28-622.01, 28-624(C), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, 13-702.01 and 13-801 committed on April 7, 2000.

OFFENSE: COUNT 2 AMENDED: POSSESSION OF MARIJUANA, a class 1 misdemeanor, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 13-3405, 13-3418, 13-707, 13-802 and 13-901.01 committed on April 7, 2000.

Upon consideration of the offense, the facts, law and circumstances involved in this case, the Court finds that the Defendant is eligible for probation. The specific reasons for the granting of probation are stated by the Court on the record.

As punishment for these crimes,

IT IS ORDERED suspending imposition of sentence and placing the Defendant on probation as to Count 1 for a period of three (3) years and as to Amended Count 2 for a period of three (3) years commencing June 6, 2000 under the supervision of the Adult Probation Department of this Court, in accordance with the formal Judgment and Order suspending sentence and Order imposing terms of probation signed by the Court.

As a condition of probation,

IT IS ORDERED that the Defendant pay a monthly probation service fee to the Clerk of the Superior Court of Maricopa County at a rate of \$40.00 commencing on the first day of the second month after release from the Department of Corrections in CR 99-10744 and due on the same day of each month thereafter during the term of probation.

FINE: IT IS ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Maricopa County in the amount of \$750.00, and all applicable surcharges are waived.

Payment shall commence on the first day of the second month upon release from custody of the Department of Corrections. Said payment shall not be less than \$40.00 per month.

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Fine is to be paid to the Arizona Drug Enforcement Fund.

IT IS ORDERED that the Defendant shall complete 24 total hours of Community Service, at the rate of 8 hours each month.

IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

IT IS ORDERED granting the Motion to Dismiss Count 3 and the allegation of Defendant's prior felony convictions.

The written terms and conditions of probation are handed to the Defendant for explanation, acceptance and signature. The Defendant agrees to the stated waiver of extradition. The Defendant is advised concerning the consequences of failure to abide the conditions of probation.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS FURTHER ORDERED that the Defendant be released from custody as to this case only.

ISSUED: Order of Release.

FILED: Conditions of Probation and Notice of Rights of Review after Conviction; Presentence Report

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Let the record reflect that the Defendant's thumbprint is permanently
affixed to this sentencing order in open court.

10:40 a.m. Matter concludes.

/s/ HON. PAUL A. KATZ
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)